

QUESTIONNAIRE FOR NOMINEES FOR JUDICIAL OFFICE

Position Applying For: _____

The original questionnaire along with two examples of your written work attached to the questionnaire, together with ten copies of the questionnaire and writing samples attached to each questionnaire, should be filed with the Chairman of the Commission no later than the deadline

NOTE: Under applicable law, an applicant's membership in a political party must be considered in determining whether such person may be nominated for judicial appointment. Any questions with respect to this matter should be directed to the Chairman or Secretary (302) 678-3262.

1. NAME: POLITICAL AFFILIATION:

2. OFFICE ADDRESS:

OFFICE PHONE:

HOME PHONE:

HOME ADDRESS:

3. MARITAL STATUS: DATE OF BIRTH:

SPOUSE'S NAME: CHILDREN AND THEIR AGES:

4. EDUCATION (including preparatory, college and law school):

School

Date of Graduation

Degree

5. BAR ADMISSION:

Court

Date of Admission

6. CURRENT EMPLOYMENT (include the name of your supervisor):

7. IDENTIFY THE FOLLOWING:

- (a) Place of Birth:
- (b) Prior places of residence for the past 10 years:
- (c) Prior professional associations:
- (d) Public offices held:
- (e) Current activities in professional and civic organizations:
- (f) Avocational interests and hobbies:
- (g) By name, address and telephone number, list those persons who are in a position to comment on your qualifications for judicial position and of whom inquiry may be made by the Commission without embarrassment to you. Please include the names of two people who have worked with you in an administrative support staff position, such as your current or former secretary.

- (h) Identify at least ten matters or cases in which you have been involved with professional adversaries. Please give the caption of the case or name of the matter; names, addresses, and telephone numbers of all the attorneys involved (giving the parties each represented); and, if the matter involved litigation, the name of the judge and civil or criminal action number. If you are a sitting judge, please list ten recent cases you have heard, giving the caption of the case, civil or criminal action number, the names, addresses, and telephone numbers of all the attorneys involved (giving the parties each represented). If the case was decided by opinion, please submit a copy of that opinion.

- (i) Similarly, if you acted as an arbitrator in the past three years, please submit the caption of each matter in which you acted as an arbitrator and the names, addresses, and telephone numbers of the attorneys involved in the arbitration.

8. DESCRIBE THE FOLLOWING:

- (a) The nature of your current practice or employment:

- (b) The nature of your judicial or trial practice, if any, since your admission to the bar:

(c) Please describe your employment history, giving the name of each employer, position(s) held, the employer's address, the dates of your employment, if you are no longer employed, the reason(s) you left, and the name and address of your immediate supervisor(s), if applicable.

(d) State the reasons why you believe you would be a qualified candidate for the judicial vacancy you are currently seeking. If you currently hold that position, please state the reasons why you believe you should be reappointed. Please use a separate sheet if necessary.

(e) If you have previously applied for a judicial position, please state the position sought and the year you applied.

9. For the questions in this section, the following terms have the meaning below:

“Ability to perform the essential functions of a judge” means:

- (i) The ability to analyze legal issues to reach reasoned legal judgments;
- (ii) The ability to evaluate the credibility of witnesses;
- (iii) The ability to make factual determinations from competing presentations;

- (iv) The ability to make decisions in a timely fashion;
- (v) The ability to serve in a fair, impartial, and unbiased manner;
- (vi) The ability to communicate, orally and in writing, in an articulate and logical manner;
- (vii) The ability to demonstrate honesty, integrity, patience, open-mindedness, courtesy, tact, compassion, and humility in performing judicial functions;
- (viii) The ability to exercise control over court proceedings; and
- (ix) The ability to perform the above functions for a minimum of eight hours per day, five days per week (or such other times as Court may be in session), on a consistent basis.

“Reasonable Accommodation” means a change needed:

- (i) to ensure equal opportunities in the candidate evaluation process;
- (ii) to enable a qualified individual with a disability to perform the essential functions of a judge; and
- (iii) to enable a disabled judge to enjoy equal benefits and privileges of employment with non-disabled judges.

- (a) Do you currently possess the physical and mental ability to perform the essential functions of a judge, with or without a reasonable accommodation?

Yes _____

No _____

- (b) Are you currently using illegal drugs, or do you habitually use illegal drugs on a recreational basis or otherwise?

Yes _____

No _____

- (c) Do you frequently fail to take any lawful medications which enable you to perform the essential functions of a judge?

Yes _____

No _____

- (d) Are you currently using intoxicating liquors to such an extent that your ability to perform the essential functions of a judge is impaired?

Yes _____

No _____

- (e) Are you a compulsive gambler, or have you ever been diagnosed or received treatment, therapy, or counseling for compulsive gambling?

Yes_____

No_____

If the answer to questions (b), (c), (d) or (e) is yes, please provide a complete explanation, including the nature, history and treatment of any such behavior, on a separate sheet of paper.

10. HAVE YOU:

- (a) Ever been subject to a finding of professional misconduct?

Yes_____

No_____

- (b) Ever been charged with a misdemeanor or felony?

Yes_____

No_____

- (c) Any circumstance in your professional or personal life that creates a substantial question as to your qualifications or ability to serve in a Judicial office?

Yes_____

No_____

- (d) Ever filed a personal petition in bankruptcy or has a petition in bankruptcy been filed against you?
Ever owned more than 25% of the issued and outstanding shares or acted as an officer or director of any corporation by which or against which a petition in bankruptcy has been filed?

Yes_____

No_____

- (e) Ever been a party to a lawsuit:

Yes_____

No_____

If the answer to any of these questions is yes, please include an explanation of the matter or matters referred to on a separate sheet of paper.

11. Are you aware of anything which may require you to recuse or disqualify yourself from hearing a case if you are appointed to serve as a member of the Judiciary? If so, please describe the circumstances where you may be required to recuse or disqualify yourself.

12. Have you filed all federal, state and city tax returns which are now due or overdue?

Yes_____

No_____

If not, please include an explanation on a separate sheet of paper.

Please sign this Questionnaire, sign and have notarized the attached waivers, and forward in an envelope marked "PERSONAL & CONFIDENTIAL" to:

F. Michael Parkowski, Esq., Chairman
c/o Parkowski & Guerke, P.A.
116 W. Water Street
Dover, DE 19904

DATE: _____

SIGNED: _____

MEDICAL WAIVER AND CONSENT

The undersigned applicant hereby waives the physician-patient privilege of confidentiality, and does hereby consent that the Delaware Judicial Nominating Commission may examine and copy any and all medical records bearing upon applicant's present state of health in the custody of any physician or health care agency.

Date: _____

(Signature of Applicant)

STATE OF DELAWARE)
) ss.
COUNTY OF)

The undersigned, upon oath, deposes and states as follows: That (he) (she) is the person whose signature appears hereinabove on the instrument entitled "Medical Waiver and Consent"; that (he) (she) has read the same and is aware of the content thereof; that the same is true and correct according to the best knowledge and belief of the undersigned; and that (he) (she) executed the same freely and voluntarily.

(Signature of Applicant)

SWORN TO AND SUBSCRIBED before me this ____ day of _____, 20____

Notary Public

**WAIVER OF CONFIDENTIALITY -
LAW ENFORCEMENT, PROFESSIONAL DISCIPLINARY
BODIES, JUDICIAL DISCIPLINARY BODIES**

The undersigned applicant hereby waives the benefits of any statute, rule or regulation prescribing confidentiality of records of any state or federal law enforcement agency, any administrative or disciplinary Committee of the State of Delaware, including but not limited to the Board on Professional Responsibility of the Supreme Court and the Board of Bar Examiners of the Supreme Court, the Court on the Judiciary of the State of Delaware and the Commission on Continuing Legal Education; and does authorize and request every person, firm, company, corporation, governmental agency, court, association or institution having control of any documents, records or other information pertaining to the undersigned, to furnish to the Judicial Nominating Commission any such information, including documents, records, Bar Association files regarding charges or complaints filed against the undersigned, formal or informal, pending or closed, or any other pertinent data, and to permit the Judicial Nominating Commission or any of its members, agents or representatives to inspect and make copies of such documents, records, and other information. The undersigned does hereby release and discharge the Judicial Nominating Commission, its individual members as now or hereafter constituted, their agents and representatives, and any other person so furnishing information for any and all liability of every nature and kind arising out of the furnishing of information to or investigation made by the Judicial Nominating Commission or in any way arising out of the release and use of information so provided concerning the applicant, and hereby authorizes the Governor of the State of Delaware, after a conditional offer of employment, to obtain from applicant’s physician(s) a full report of applicant’s present physical condition, and further authorizes said physician(s) to prepare and release such report to the Governor. The undersigned agrees and acknowledges that the Judicial Nominating Commission may disclose certain information concerning my application, including a copy of this application, to the Committee on Judicial Appointments of the Delaware State Bar Association.

Date: _____

(Signature of Applicant)

STATE OF DELAWARE)
) ss.
COUNTY OF)

The undersigned, upon oath, deposes and says as follows: that (he) (she) is the person whose signature appears hereinabove on the instrument entitled “Waiver of Confidentiality — Law Enforcement, Professional Disciplinary Bodies, Judicial Disciplinary Bodies”; that (he) (she) has read the same and is aware of the content thereof; that the same is true and correct according to the best knowledge and belief of the undersigned; and that (he) (she) executed the same freely and voluntarily.

(Signature of Applicant)

SWORN TO AND SUBSCRIBED before me this ____ day of _____, 20__

Notary Public